Literacy: Literacy test to the members of the Panchayats was never seriously taken by the Madras Government. Only the Vice-president and the President were found to be invariably literate except in a few instances, and even there, local importance and weight of authority served as the best springs of administrative efficiency rather than the test of literacy. 212 623

The Election of the Panchayat President: This sometimes led to village disturbances and party factions, but, the remedy did not appear to get him elected by the villagers as a whole, instead of by the Panchayat. 666 578

Village Officials: The idea of associating the village officers: the Karanams and the Munsif, as the ex-officio members of the Panchayat attracted the attention of the framers of the Madras Panchayat Bill of 1941, "in order that their experience and influence may be at the disposal of the Panchayat," but, this was strongly opposed by the reformers of the Local Self Government who felt that these village officers were no longer the natural leaders, but salaried officials of the Government and hence unfit to participate in matters of village administration entrusted to a purely honorary body. Another reason that was often adduced against them was that both of them might generally be leaders of two opposing parties and their entrance into the Panchayat would simply wreck its working. 624

Executive of the Panchayat: Under the amendment of the Madras Local Boards Act in 1943, the Government of Madras appointed executive officers to Panchayats. The executive authority had 1. to carry into effect all the resolutions of the Board, 2. to perform all the duties and to exercise all the powers specifically imposed or conferred on the executive authority by the Act; in fact, whenever it was expressly so provided for the sanction of the Board and subject to all other restrictions, limitations and conditions hereinafter imposed, 3. to exercise the executive power, for the purpose of carrying out the provisions of the Act and 4. to be directly responsible for the due fulfilment of the Act. (Sec. 24-B of the amendment to the Madras Local Boards Act 1943). He was to carry out all the resolutions passed by the Panchayat, but this obligation was limited to legal resolutions alone. 642 647

The executive officer was the custodian of all Government Records though the President had free access to them. All the official correspondence addressed to the District Board, or the Provincial Government had to pass through the President. While

647 the executive officer could participate and discuss in the meetings
642 of the Panchayats, he had no right of voting or moving any Resolution.

647 There were three grades in the pay scales of the executive
465 officers. The 1st grade Panchayats were those with an income of Rs. 20,000/- or above; they had executive officers on a pay of Rs. 80/- to Rs. 100/-. The 2nd grade Panchayats with income of Rs. 10,000/- to 20,000/- had their executive officers on a scale of Rs. 65/- to Rs. 80/- whereas the 3rd grade Panchayats with income of Rs. 5,000/- to Rs. 10,000/- paid Rs. 50/-to Rs. 65/- per mensum to their executive officers. These officers were directly recruited, trained and sent to the Panchayats by the Inspector of Local Boards except in a few cases where clerks from District Boards were also promoted as executive officers.

647 The executive officer and the Panchayat had an irreconcilable
623 hostility as a general rule. This had been the lot of most Panchayats, since legislation did not definitely describe their relative position and responsibilities.

The minor Panchayats had no executive officers. They had usually either part-time clerks or village teachers as their executives. In some places, the clerk of the cooperative society was also the executive of the Panchayat. There was no uniform practice in this regard among the minor Panchayats. In any contemplated reform the position of the executive with regard to the minor Panchayats too, must be finally decided.

Previous to the appointment of the executive officer, the appointment of the establishment personnel was entirely a concern of the President and the members of the Panchayat. But, since his appointment, the recruitment of the staff was handed over to him and he was to appoint the clerks, bill collectors, mistries, sanitary inspectors, and overseers, subject to the consent of the departmental heads concerned. This method had been devised to save the Panchayat staff, from being entirely at the mercy of the members of the Panchayat, who would have appointed them today and dismissed them tomorrow or forced them to become parties to village politics, supporting one party against the other. To keep up the integrity of the Panchayat, the services were now provincialised, and the staff members could also be transferred from one Panchayat to another.

income of Rs. 20,000 to Rs. 30,000 per annum, the 2nd grade with an income from Rs. 10,000 to Rs. 20,000 and 3rd grade with an income of upto Rs. 10,000. Panchayats with Rs. 5,000 income were classified as minor Panchayats. The first 3 were called the major Panchayats and they had executive officer, while minor Panchayats had no executive officers. 623 652

Grades of the Executive Officers: The grade of the executive officer in the 1st grade Panchayats was from Rs. 80 to Rs. 100, of 2nd grade Panchayats from Rs. 60 to Rs. 80 and of 3rd grade Panchayats from Rs. 40 to Rs. 60. They were the servants of the Provincial Government working under the Local Boards. The Panchayats could not have any control over their executives. The executive officer was the chief executive of the Panchayat. He was to guide the Board in constitutional matters, put the resolutions before it for discussion and execute them according to its decision. He attended the meetings of the Panchayat, but was not allowed to vote. He was liable for transfer to any place in the Province. This meant a great hardship as the salary paid to him was too meagre to enable him to live in far off places from his native town. His pay, travelling allowance, dearness allowance and contributions to provident fund were all met by the Panchayat and the State Government paid nothing towards his maintenance. 647 [465] 623

Executive Officer and the Staff: The executive officer had under him a number of people like the sanitary inspector, the mistries, the supervisor for public works, vaccinators, compounders, midwives, bill collectors, not to speak of the clerical staff and menial staff like the scavengers, thotties, sweepers, lighters, peons, watchmen, etc. He was the appointing authority for staff beneath the clerical grade. The posts of the sanitary inspectors and overseers were advertised by him. They were to be appointed and paid by Panchayat with the approval and sanction of the District Health Officer and the District Engineer. But administratively they were subordinate to the executive officer and had to carry out the duties allotted to them by him. The sanitary inspector would have to look to matters of village sanitation, vaccination, administration of D. N. O. Licenses slaughter houses, clearance of sewage water, cleansing of gutters, cleansing of private and public latrines, etc. Similarly the overseer had to look to the execution of the public works all subject to the general supervision of the executive officer. 624 647

Executive Officers and Panchayat Boards: As a fact, the executive officers and the Panchayat Boards had a very strange relation. The executive officers were a much hated and an unhappy lot in the 647 623 578

647 623 578 Panchayat : while the Panchayat wanted to dominate them the executive officers placed themselves too high above the Panchayat and regarded themselves sometimes as fallen angels. There were several instances, where the Boards tried to harass the executive officers and the executive officers tried in return to take vengeance on them.

623 **Obligatory and Optional Functions of the Panchayats:** The administrative functions of the Panchayats were divided into two types: obligatory and optional. The obligatory functions included: public works, maintenance and construction of culverts, bridges and roads, burning and burial grounds, provision of water supply, parks, library and newspapers, lighting, public health and conservancy, slaughter houses, managements of fairs and festivals. While the optional functions were plantation of trees, provision of radio, arrangements with regard to infectious diseases, medical relief and donation, etc. Very often the funds of the Panchayats were spent to a large extent on salaries, office contingencies, dearness allowance, and travelling allowance, with little left over for discharging duties either obligatory or optional. (vide Table No. 20)

663 **Public Works :** The arrangements made by the village Panchayats for the construction and maintenance of roads, water tanks, sluices, channels and buildings constituted some of the important items of public works. In most of the villages in South India, provision of water supply and systematic arrangements with regard to maintenance of tanks and distribution of water to fields and settling of disputes arising out of it, were considered to be the functions of the village Panchayats. This was done by the contribution of communal labour according to which every resident of the community was to contribute his share to the maintenance of local public works. Employment of compulsory forced labour for execution of public works like tanks, canals, buildings and roads was a time-honoured custom in South India which continued even today.

Construction of roads and tanks was done by the employment of paid labour alone. But the Panchayats were not at liberty to undertake any work they liked. The Panchayats were generally authorised to undertake public works upto Rs. 250 without the necessity of the sanction of the higher authorities.

Some of the major Panchayats in the Circars and Nellore District had their own overseers and staff like the mistry on their establishment, paid them from their funds and got their works exe-

651 Sometimes a good deal of income was also lost by Panchayats due to non-imposition of cart and bus stand fees. Though 90 per cent of the entertainment tax proceeds were given to the Panchayats after deducting 10 per cent by the Commercial sales tax department towards collection expenses, still some of them demanded the right of collection too, as they expected to collect it at lesser cost. Again revised rates of profession tax only meant an unnecessary sacrifice of useful local revenue to Panchayats and these could be revived with profit. Registration surcharges need to be collected more rigorously by the Panchayats. Vehicle tax and animal tax ought to be made obligatory, instead of being optional.

A good deal of disparity existed in the case of license fees too, both in the number of articles on which they were imposed as well as the rates at which they were collected. They differed between wide extremes from Panchayat to Panchayat. Panchayats were not properly surveyed before encroachments were booked. Proper care was always not taken before enforcing Food Adulteration Act with the result, the benefits were not commensurate with the expenditure incurred for the examination of the samples of adulterated food stuffs. Money was also lost by Panchayats because of the non-imposition of octroi duties, sales tax in fairs and festivals, pilgrim tax, forfeiture of income from bull fights and similar other local entertainments.

642 647 **C Functions**: Due to an amendment to the Madras Local Boards Act in 1943, the Government had appointed executive officers to all the major Panchayats, to carry into effect all the resolutions of the Board, to perform all the duties and to exercise all the powers entrusted to them. But the legislation was not clear cut in regard to the position of the executive officer's powers, his status vis-a-vis the Panchayat. Whether he was superior or sub-ordinate to the Panchayat or independent of its control was also never made clear. While his pay and allowances were met with by the Panchayat, he was appointed, transferred, punished or removed only by the Provincial Government. While the Panchayats felt that the executive officers were sub-ordinate to them, some executive officers felt that they were independent of Panchayats, while some others thought themselves to be superior to Panchayats. To add to the curious ambiguity of their position, the pay and emoluments of these officials were also very low, with the result, that it was very difficult to attract the best young men for this service. They had a few powers like making appointments of the staff instead of allowing this to be done

by the Panchayat Board. This was intended to prevent nepotism and party politics in the matter of official appointments. But this change in the method of appointment alone would not attract better staff unless the existing poor salary scales of the Panchayat staff are revised for the better. 642 647

The Panchayat staff should also not be allowed to be stationary, but with a view to gaining experience, they should be transferred at least from one Panchayat to another in the same district, while the executive officer, supervisor, sanitary inspector, mistry could be made to move throughout the division which was equivalent to ¼th area of Province as the present scales of pay do not allow them to move with comfort to longer distances. The creation of a Local Board Civil Service and recruitment of staff through the Public Service Commission by examination may prove better than leaving the appointments to the discretion of the executive officer because even he could be accused of partiality as the village Panchayats are always full of party politics. Panchayats expect the executive officer to join one side or the other and if he does not do that, make life impossible for him. His statutary position is such that he cannot stear clear of all such obligations and still be independent. While the Panchayats want them to be at their mercy, to appoint them and to dismiss them as they like; the executive officers prefer the total absence of any Panchayat control over them. They want to remain State servants, appointed, punished and dismissed only by the State. There was overwhelming evidence to support such a claim. There were instancer where the executive officers had run away when they were dastardly attacked by the Panchayat members because their vested interests were touched. Another executive officer was threatened with death by a Panchayat member who raided his house at midnight, because of the higher rates he charged to his favourite hotel keeper. The executive officer in another Panchayat had to literally run away from the Panchayat Board to the Railway Station to save his life from the dangerous fury of the Panchayat members for having converted the house tax valuation from capital to rental basis. Another Panchayat sent wires to the Inspector of Local Boards and the Local Government Minister, stating that the Executive Officer had absconded with funds and a dead-lock was created in the working of the Panchayat, when he was only in a town and went there to see the District Collector. 623 [624] 578 647

None of the Panchayats either major or minor were able to undertake all the obligatory and optional functions. 623